

1 Jason McDonell (State Bar No. 115084)
jmcdonell@JonesDay.com
2 Katherine S. Ritchey (State Bar No. 178409)
ksritchey@JonesDay.com
3 JONES DAY
555 California Street, 26th Floor
4 San Francisco, CA 94104
Telephone: +1.415.626.3939
5 Facsimile: +1.415.875.5700
6 Attorneys for Plaintiff
SHIONOGI & CO., LTD.
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 **SHIONOGI & CO., LTD.,**
13 **Plaintiff,**
14 **v.**
15 **INTERMUNE, INC.,**
16 **Defendant.**

Case No. 3:12-CV-03495-EDL

**REVISED STIPULATION AND
PROPOSED ORDER REGARDING
CASE SCHEDULE FOLLOWING
INITIAL CASE MANAGEMENT
CONFERENCE**

During the initial case management conference held on November 13, 2012, the Court provided the parties with guidance regarding the case schedule. The parties have met and conferred and agreed to the following case schedule:

Event	Parties' Joint Proposal
Initial Disclosures	October 2, 2012
Deadline to File Motions to Join Parties	November 15, 2012
ADR 1	By February 28, 2013
Deadline for filing motion or stipulation to Amend Pleadings	March 15, 2013
Supplemental Rule 26(e)(1) Disclosures (as required by Magistrate Laporte's standing order)	June 7, 2013
Close of Fact Discovery	July 5, 2013
Identification of Opening Experts and Subjects of Testimony	July 12, 2013
Deadline for Filing Motion to Compel (as required by Local Rule 37-3)	July 12, 2013
Opening Expert Reports	August 7, 2013
Rebuttal Expert Reports	September 4, 2013
Close of Expert Discovery	October 7, 2013
ADR 2	TBD
Deadline for Filing Motion to Compel Expert Discovery (as required by Local Rule 37-3)	October 14, 2013
Deadline for Hearing Dispositive Motions	December 3, 2013
Deadline for Lead Trial Counsel to Meet and Confer re (1) Joint Pretrial Conference Statement, (2) Preparation and exchange of pretrial materials, and (3) settlement of action	February 4, 2014
Deadline to File Joint Pretrial Conference Statement	March 4, 2014

Event	Parties' Joint Proposal
Deadline to file trial briefs and motions in limine	March 4, 2014
Deadline to file proposed voir dire questions, jury instructions and verdict forms	March 4, 2014
Deadline to file excerpts from discovery that will be offered at trial (including designations of deposition testimony)	March 4, 2014 Affirmative designations will be exchanged between the parties no later than February 13, 2014. Counter-designations will be exchanged no later than February 27, 2014.
Deadline to file exhibits setting forth the qualifications and experience of each expert witness	March 4, 2014
Deadline to file list of each party's exhibits and to exchange premarked exhibits and deliver two sets to chambers	March 4, 2014 A list of such exhibits will be exchanged between the parties no later than February 18, 2014.
Deadline to file objections to exhibits or deposition excerpts or other discovery	March 18, 2014 Objections to affirmative deposition designations and exhibits will be exchanged between the parties no later than March 4, 2014. Objections to counter-designations will be exchanged between the parties no later than March 13, 2014.
Deadline to file objections to non-expert witnesses	March 18, 2014
Deadline to file objections to proposed voir dire questions, jury instructions, and verdict forms	March 18, 2014
Deadline to file oppositions to motions in limine	March 18, 2014
Deadline for Supplemental Rule 26(e) Disclosures	March 18, 2014
Pretrial Conference	April 8, 2014
Trial Date	May 5, 2014 (7 court days)

1
2 Dated: November 30, 2012

JONES DAY

3
4 By: /s/ Jason McDonell
Jason McDonell

5
6 Attorneys for Plaintiff
SHIONOGI & CO., LTD.

7
8 Dated: November 30, 2012

CRAVATH, SWAINE & MOORE LLP

9
10 By: /s/ Gary A. Bornstein
Gary A. Bornstein

11
12 Attorneys for Defendant
INTERMUNE, INC.

13
14 Pursuant to the parties' stipulation, IT IS SO ORDERED.

15
16 Dated: _____, 2012

17 _____
The Honorable Elizabeth D. Laporte
United States Magistrate Judge

18
19 **Civil L.R. 5(i)(3) Attestation of Concurrence of Signatures**

20 I, Jason McDonell, am the ECF user whose identification and password are being used to
21 file this Revised Stipulation and Proposed Order. Pursuant to Civil L.R. 5(i)(3), I hereby attest
22 that Gary Bornstein, counsel for Defendant, has concurred in the filing of this document.
23

24 Dated: November 30, 2012

JONES DAY

25 By: /s/ Jason McDonell
Jason McDonell

26
27 Attorneys for Plaintiff
SHIONOGI & CO., LTD.